

Court Type of the State of New York
County: PART __

The People of the State of New York,

— against —

CLIENT,
Defendant-Petitioner.

[Ind./Dkt.] No. _____

Notice of Motion to Vacate
the Judgment of
Conviction

PLEASE TAKE NOTICE that upon the attached affirmation of Lawyer, Esq., and its attached exhibits, and the accompanying Memorandum of Law, the undersigned will move this Court, on Date, or as soon thereafter as counsel may be heard, for an order pursuant to CPL 440.10 (1) (h):

- (1) Vacating the judgment of conviction in this case on the grounds that it was obtained in violation of Client's rights, under the Sixth and Fourteenth Amendments to the United States Constitution and Article I, § 6 of the New York Constitution, to the effective assistance of counsel;
- (2) Granting, if necessary, a hearing to develop any unresolved factual disputes pertaining to this motion pursuant to CPL 440.30 (5); and
- (3) Granting any other relief that the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Civil Practice Law and Rules § 2214 (b), answering papers, if any, shall be served at least seven days before the return date.

Dated: Date
 City, New York

Respectfully submitted,

LAWYER, ESQ.
Attorney for the Defendant
[address and contact information]

To: MOTIONS CLERK
[court address]

ADA _____
District Attorney's Office, County
[address and contact information]